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**ARIZONA DEPARTMENT OF FINANCIAL INSTITUTIONS**

In the Matter of the Mortgage Broker License of: No. 10F-BD023-BNK

**SATUITO, LLC DBA SLC MORTGAGE  
AND GEORGE P. SATUITO, PRESIDENT**  
6320 West Union Hills, Building A, Suite 220  
Glendale, Arizona 85308

**NOTICE OF HEARING AND  
COMPLAINT TO REVOKE**

Respondents.

PLEASE TAKE NOTICE that, pursuant to Arizona Revised Statutes ("A.R.S.") §§ 6-138, and 41-1092.02, the above-captioned matter will be heard through the Office of Administrative Hearings, an independent agency, and is scheduled for June 3, 2010, at 1:00 p.m., at the Office of Administrative Hearings, 1400 West Washington, Suite 101, Phoenix, Arizona, (602) 542-9826 (the "Hearing").

The purpose of the Hearing is to determine whether grounds exist to revoke Respondent's mortgage broker license; to order any other remedy necessary or proper for the enforcement of statutes and rules regulating mortgage brokers in Arizona pursuant A.R.S. §§ 6-123 and 6-131; and to impose a civil money penalty pursuant to A.R.S. § 6-132.

Pursuant to A.R.S. § 6-138, the Superintendent of Financial Institutions for the State of Arizona (the "Superintendent") delegates the authority vested in the Superintendent, whether implied or expressed, to the Director of the Office of Administrative Hearings or the Director's designee to preside over the Hearing as the Administrative Law Judge, to make written recommendations to the Superintendent consisting of proposed Findings of Fact, Conclusions of Law, and Order. The Office of Administrative Hearings has designated Lewis Kowal, at the address and phone number listed above, as the Administrative Law Judge for these proceedings. Pursuant to Arizona Administrative Code ("A.A.C.") Rule 2-19-104 and A.R.S. §§ 41-1092.01(H)(1) and 41-1092.08, the Superintendent retains authority to enter orders granting a stay, orders on motions for rehearing, final decisions pursuant to A.R.S. § 41-1092.08 or other order or process which the Administrative Law Judge is specifically prohibited from entering.

1 Motions to continue this matter shall be made in writing to the Administrative Law Judge **not**  
2 **less than fifteen (15) days** prior to the date set for the Hearing. A copy of any motion to continue  
3 shall be mailed or hand-delivered to the opposing party on the same date of filing with the Office of  
4 Administrative Hearings.

5 A.R.S. § 41-1092.07 entitles any person affected by this Hearing to appear in person and by  
6 counsel, or to proceed without counsel during the giving of all evidence, to have a reasonable  
7 opportunity to inspect all documentary evidence, to cross-examine witnesses, to present evidence  
8 and witnesses in support of his/her interests, and to have subpoenas issued by the Administrative  
9 Law Judge to compel attendance of witnesses and production of evidence. Pursuant to A.R.S.  
10 § 41-1092.07(B), any person may appear on his or her own behalf or by counsel.

11 Pursuant to A.R.S. § 41-1092.07(E), a clear and accurate record of the proceedings will be  
12 made by a court reporter or by electronic means. Any party that requests a transcript of the  
13 proceedings shall pay the cost of the transcript for the court reporter or other transcriber.

14 Questions concerning issues raised in this Notice of Hearing should be directed to Assistant  
15 Attorney General Liane C. Kido, (602) 542-8011, 1275 West Washington, Phoenix, Arizona 85007.

#### 16 **NOTICE OF APPLICABLE RULES**

17 On February 7, 1978, the Arizona Department of Financial Institutions (the "Department")  
18 adopted A.A.C. R20-4-1201 through R20-4-1220, which were amended September 12, 2001, setting  
19 forth the rules of practice and procedure applicable in contested cases and appealable agency actions  
20 before the Superintendent. The hearing will be conducted pursuant to these rules and the rules  
21 governing procedures before the Office of Administrative Hearings, A.A.C. R2-19-101 through  
22 R2-19-122. A copy of these rules is enclosed.

23 Pursuant to A.A.C. R20-4-1209, Petitioners shall file a written answer **within twenty (20)**  
24 **days** after issuance of this Notice of Hearing. The answer shall briefly state the Respondents'  
25 position or defense and shall specifically admit or deny each of the assertions contained in this  
26 Notice of Hearing. If the answering Respondents are without or are unable to reasonably obtain

1 knowledge or information sufficient to form a belief as to the truth of an assertion, Respondents shall  
2 so state, which shall have the effect of a denial. Any assertion not denied is deemed admitted.  
3 When Respondents intend to deny only a part or a qualification of an assertion, or to qualify an  
4 assertion, Petitioners shall expressly admit so much of it as is true and shall deny the remainder.  
5 Any defense not raised in the answer is deemed waived.

6 **If a timely answer is not filed, pursuant to A.A.C. R20-4-1209(D), Respondents will be**  
7 **deemed in default** and the Superintendent may deem the allegations in this Notice of Hearing as  
8 true and admitted and the Superintendent may take whatever action is appropriate, including  
9 suspension, revocation, denial of Respondents' license or affirming an order to Cease and Desist and  
10 imposition of a civil penalty or restitution to any injured party.

11 Respondents' answer shall be mailed or delivered to the Arizona Department of Financial  
12 Institutions, 2910 North 44th Street, Suite 310, Phoenix, Arizona 85018, with a copy mailed or  
13 delivered to the Office of Administrative Hearings, 1400 West Washington, Suite 101, Phoenix,  
14 Arizona 85007 and to Assistant Attorney General Liane C. Kido, Consumer Protection & Advocacy  
15 Section, Attorney General's Office, 1275 West Washington, Phoenix, Arizona 85007.

16 **Persons with disabilities may request reasonable accommodations such as interpreters,**  
17 **alternative format or assistance with physical accessibility.** Requests for accommodations must  
18 be made as early as possible to allow time to arrange the accommodations. If accommodations are  
19 required, call the Office of Administrative Hearings at (602) 542-9826.

## 20 COMPLAINT

21 1. Respondent Satuito, LLC dba SLC Mortgage ("SLC") is an Arizona limited liability  
22 company, authorized to transact business in Arizona as a mortgage broker, license number  
23 MB 0907180, within the meaning of A.R.S. §§ 6-901, *et seq.* The nature of SLC's business is that  
24 of making, negotiating, or offering to make or negotiate loans secured by Arizona real property  
25 within the meaning of A.R.S. § 6-901(11).

26 2. Respondent George P. Satuito ("Mr. Satuito") is the President and Responsible Individual

1 of SLC. Mr. Satuito is authorized to transact business in Arizona as a mortgage broker within the  
2 meaning of A.R.S. §§ 6-901, *et seq.*

3 3. Neither SLC nor Mr. Satuito are exempt from licensure as mortgage brokers within the  
4 meaning of A.R.S. § 6-902.

5 4. On February 2, 2009, the Department served an Order to Cease and Desist; Notice of  
6 Opportunity for Hearing; Consent to Entry of Order ("Cease and Desist Order") upon Satuito, LLC  
7 dba SLC Mortgage and George P. Satuito, President, alleging that Respondents had violated Arizona  
8 law.

9 5. On or about March 16, 2009, the Department received Mr. Satuito's request for a hearing  
10 to appeal the Cease and Desist Order.

11 6. Subsequently, a hearing was scheduled to be heard at the Office of Administrative  
12 Hearings before Administrative Law Judge Lewis D. Kowal ("ALJ Kowal") on May 14, 2009.

13 7. Prior to the date of the hearing, the matter was resolved by means of a Consent Order  
14 which was executed on May 11, 2009, and the hearing was vacated by ALJ Kowal.

15 8. As agreed in the Consent Order, Respondents were ordered to pay a total civil penalty of  
16 three thousand dollars (\$3,000.00) to the Department, in two (2) installments. Respondents paid a  
17 partial payment of one thousand dollars (\$1,000.00) upon execution of the Consent Order on May  
18 11, 2009. The final installment of two thousand dollars (\$2,000.00) was to be paid to the  
19 Department on or before July 15, 2009.

20 9. On May 12, 2009, the Department forwarded Respondents an executed copy of the  
21 Consent Order, along with a cover letter reminding Mr. Satuito that the final installment of the civil  
22 money penalty was due by July 15, 2009. The fully executed Consent Order and cover letter were  
23 mailed to Respondents to the address provided by Mr. Satuito in an e-mail dated March 16, 2009.

24 10. On August 3, 2009, the Department sent another letter to Respondents reminding them  
25 that the final civil money penalty payment of two thousand dollars (\$2,000.00) was past due and  
26 requesting said payment be made immediately.

11. On October 8, 2009, the Department's Senior Examiner Lori Mann e-mailed Mr. Satuito and explained she had attempted to telephone him and requested he contact her immediately.

12. To date, Respondents have not paid the final installment of two thousand dollars (\$2,000.00) and have not responded to any of the Department's attempts to contact them. Respondents have failed to comply with the executed Consent Order.

**LAW**

1. Pursuant to A.R.S. §§ 6-901, *et seq.*, the Superintendent has the authority and duty to regulate all persons engaged in the mortgage broker business and with the enforcement of statutes, rules, and regulations relating to mortgage brokers.

2. By the conduct set forth in the Complaint, Satuito, LLC dba SLC Mortgage and Mr. Satuito violated the following:

a. A.R.S. § 6-905(A)(3), by violating the Consent Order signed by Mr. Satuito on May 11, 2009.

3. The violations, set forth above, constitute grounds for: (1) the imposition of a civil monetary penalty pursuant to A.R.S. § 6-132 and, (2) the suspension or revocation of Respondents' license pursuant to A.R.S. § 6-905; and (3) an order or any other remedy necessary or proper for the enforcement of statutes and rules regulating mortgage brokers pursuant to A.R.S. § 6-123 and 6-131.

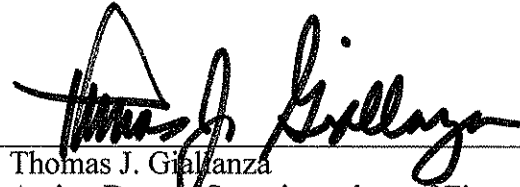
4. Pursuant to A.R.S. § 6-132, Respondents' violations of the aforementioned statutes are grounds for a civil penalty of not more than five thousand dollars (\$5,000.00) for each violation for each day.

WHEREFORE, if after a hearing, the Superintendent makes a finding of one or more of the above-described violations or other grounds for disciplinary action, the Superintendent may impose a civil money penalty against Respondents pursuant to A.R.S. § 6-132; suspend or revoke Respondents' mortgage broker license pursuant to A.R.S. § 6-905(A); and order any other remedy necessary or proper for the enforcement of statutes and rules regulating mortgage brokers in Arizona under A.R.S. §§ 6-123 and 6-131.

1 DATED this 8<sup>th</sup> day of January, 2010.

2 Thomas L. Wood  
3 Acting Superintendent of Financial Institutions

4  
5  
6 By



Thomas J. Giallanza  
Acting Deputy Superintendent of Financial Institutions

7  
8 ORIGINAL of the foregoing filed this 8th  
9 day of January, 2010, in the office of:

10 Thomas L. Wood  
11 Superintendent of Financial Institutions  
12 Arizona Department of Financial Institutions  
13 ATTN: Susan L. Longo  
14 2910 N. 44th Street, Suite 310  
15 Phoenix, AZ 85018

16 COPY mailed/delivered same date to:

17 Honorable Lewis Kowal  
18 Administrative Law Judge  
19 Office of the Administrative Hearings  
20 1400 West Washington, Suite 101  
21 Phoenix, AZ 85007

22 Liane C. Kido  
23 Assistant Attorney General  
24 Office of the Attorney General  
25 1275 West Washington  
26 Phoenix, AZ 85007

Thomas J. Giallanza, Acting Deputy Superintendent  
Lori Mann, Senior Examiner  
Arizona Department of Financial Institutions  
2910 N. 44th Street, Suite 310  
Phoenix, AZ 85018

George P. Satuito, President  
Satuito, LLC dba SLC Mortgage  
6320 W. Union Hills, Bldg. A, Ste. 220  
Glendale, AZ 85308  
Respondents

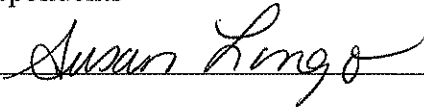
1 George P. Satuito, Statutory Agent for  
2 Satuito, LLC dba SLC Mortgage  
3 8955 E. Pinnacle Peak, #101  
4 Scottsdale, AZ 85255

5 AND COPY MAILED SAME DATE by  
6 Certified Mail, Return Receipt Requested, to:

7 Satuito, LLC dba SLC Mortgage  
8 Attn: George P. Satuito, President  
9 6320 W. Union Hills, Bldg. A, Ste. 220  
10 Glendale, AZ 85308  
11 Respondents

12 George P. Satuito, Statutory Agent for  
13 Satuito, LLC dba SLC Mortgage  
14 8955 E. Pinnacle Peak, #101  
15 Scottsdale, AZ 85255

16 Satuito, LLC dba SLC Mortgage  
17 Attn: George P. Satuito, President  
18 5403 W. Novak Way  
19 Laveen, AZ 85339  
20 Respondents

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